

Attorney Docket No. 208.6164

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re: Gao et al.
Serial No.: 10/040,047 Group Art Unit: 1745
Filed: February 1, 2002 Examiner: Kalafut, Stephen J.
For: *Positive Electrode Active Materials for Secondary Batteries and Methods of
Preparing Same*

Date: December 1, 2003

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

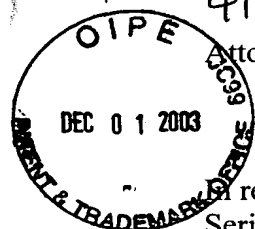
RESPONSE TO RESTRICTION REQUIREMENT

Sir:

This response is submitted in reply to the Restriction Requirement dated October 1, 2003 and is accompanied by a fee for a one-month extension of time for response. Applicants provide the present Amendment to address the issues raised in the Restriction Requirement pursuant to the rules stated in revised 37 C.F.R. 1.121 that became effective on July 30, 2003.

12/04/2003 CNGUYEN 00000064 500220 10040047

01 FC:1201 86.00 DA
02 FC:1202 18.00 DA
03 FC:1251 110.00 DA



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Sir:

Transmitted herewith is an AMENDMENT in the above-identified patent application.

☐ Applicant claims small entity status. See 37 CFR §1.27.☐ No additional fee is required.☒ Other: Petition for 1-month Extension of Time; Copy of Preliminary Amendment and Information Disclosure Statement of March 1, 2002

The fee has been calculated as shown below:

| (COL. 1) | | (COL. 2) | (COL. 3) | SMALL ENTITY | | OTHER THAN A SMALL ENTITY | |
|---|----------------------------------|------------------------------------|---------------|----------------|------------|---------------------------|------------|
| | Claims Remaining After Amendment | Highest Number Previously Paid For | Present Extra | RATE | ADDIT. FEE | OR RATE | ADDIT. FEE |
| Total | * - 98 | ** 97 | = 1 | x 09= | \$ | x 18= | \$ 18.00 |
| Indep | * 5 - | *** 3 | = 1 | x 42= | \$ | x 84= | \$ 84.00 |
| <input type="checkbox"/> FIRST PRESENTATION OF MULTIPLE DEP. CLAIM | | | | +140= | \$ | +280= | \$ |
| <input checked="" type="checkbox"/> Petition for 1-month Extension of Time \$110.00 | | | | Total Add. Fee | \$ 0.00 | OR Total | \$ 212.00 |

* If the entry in Col. 1 is less than the entry in Col. 2, write "0" in Col. 3.

** If the "Highest Number Previously Paid For" IN THIS SPACE is less than 20, write "20" in this space.

*** If the "Highest Number Previously Paid For" IN THIS SPACE is less than 3, write "3" in this space. The "Highest Number Previously Paid For" (Total or Independent) is the highest number found from the equivalent box in Col. 1 of a prior Amendment or the number of claims originally filed.

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Serial No.: 10/040,047
Filed: February 1, 2002
Page 2

- ☒ Please charge my Deposit Account No. 50-0220 in the amount of **\$212.00**.
- ☐ A check in the amount \$ to cover the additional fee is enclosed.
- ☒ The Commissioner is hereby authorized to charge payment of the following fees associated with this communication or credit any overpayment to Deposit Account No. 50-0220.
- ☒ Any additional filing fees required under 37 C.F.R. § 1.16 for the presentation of extra claims.
- ☒ Any patent application processing fees under 37 C.F.R. § 1.17.

Respectfully submitted,




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CERTIFICATE OF EXPRESS MAILING

"Express Mail" mailing label number: EV318417988US Date of Deposit: December 1, 2003
I hereby certify that this paper or fee is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated above and is addressed to Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.


Sloan Smith